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10/620,725	07/15/2003	Gregory M. Lanza	532512000401	1157

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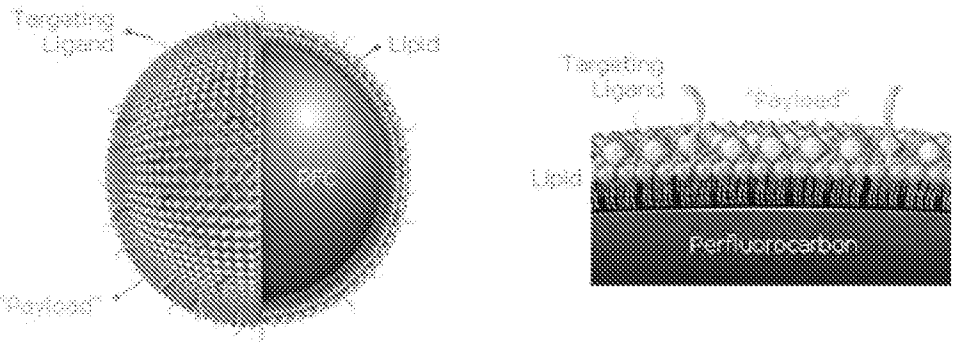
Please find below and/or attached an Office communication concerning this application or proceeding.

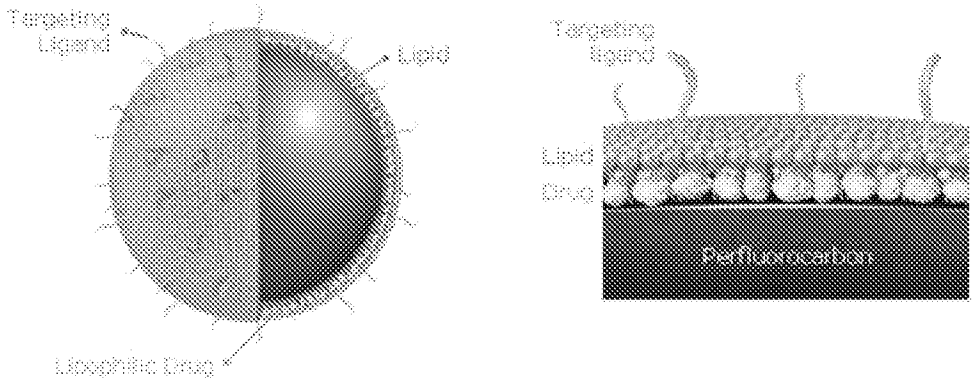
The time period for reply, if any, is set in the attached communication.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments with respect to the instant claims and the rejection of record are not persuasive. The 112 1st enablement rejection is maintained, because the instant claims are directed to "wherein said drug is confined to said layer and not carried or deposited in the core..." the Kereos webite (cited in the enablement rejection) and shown below shows that hydrophilic drugs are carried above the layer after being hydrophobized and that the lipophilic drugs are carried below the layer, none are confined within the layer. Furthermore it teaches only that 'many chemotherapeutics' are lipophilic drugs capable of being used and no other drugs are disclosed as being used. The instant claims teach more than chemotherapeutics and further the instant claims teach "wherein said drug is confined to said layer and not carried or deposited in the core..." whereas in the response Applicant claims that the hydrophilic drugs such as doxorubin can be in or on the surface of the lipid monolayer which is contrast to the instant claimed language that require "drug is confined to said layer and not carried or deposited in the core..."

With water-soluble (hydrophilic) payloads, lipophilic derivatives project the payload above the ligand-targeted emulsion surface:



While water-insoluble payloads (lipophilic), such as many chemotherapeutics, are simply incorporated into the lipid monolayer:



The 102/103 rejections of record are also maintained as they teach the same emulsions with a lipid bilayer, active agent, etc and Applicant arguments have no been persuasive and thus instant claims are anticipated and/or obvious over the prior art.

/MP WOODWARD/
Supervisory Patent Examiner, Art Unit 1615